

***** DES MOINES CITY COUNCIL MEETING REPORT *****

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '06-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SPECIAL DES MOINES CITY COUNCIL MEETING SUMMARY

**June 19, 2006
3:00 – 4:00 PM**

- [06-1155](#) 1. ROLL CALL: Present: Cownie, Brooks, Coleman, Hensley, Kiernan, Mahaffey and Vlassis.
- [06-1156](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Vlassis to adopt. Motion Carried 7-0.
- [06-1157](#) 3. [Spreadsheet - Approving](#) Sale of Series 2006A, B, & C General Obligation Bonds for FY 2006-07 Capital Improvement Program (CIP), bonds to be sold on 7-12-06 at 11 A.M. Special Council meeting to be held on 7-12-06 at 4:00 P.M. ([Communication No. 06-395](#)) Moved by Coleman to adopt. Motion Carried 7-0.
- [06-1158](#) MOTION TO ADJOURN. Moved by Hensley to adjourn at 3:40 P.M. Motion Carried 7-0.

REGULAR DES MOINES CITY COUNCIL MEETING SUMMARY

**June 19, 2006
4:30 PM**

INVOCATION: Reverend J. Dean McNamara
Westover Baptist Church, Chaplain – Des Moines Fire Department

[06-1169](#) 1. ROLL CALL: **Present: Cownie, Brooks, Coleman, Hensley, Kiernan and Vlassis.**

[06-1170](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

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***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

[06-1171](#) 3. APPROVING CONSENT AGENDA – items 3 through 50: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[06-1172](#) 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Vlassis to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

(A) DEN 4369 MERLE HAY RD C Liquor

RENEWAL APPLICATIONS

(B)	BEAVERDALE VFW CLUB	4029 URBANDALE	A Liquor
(C)	BEGGARS BANQUET	1301 LOCUST ST	B Beer
(D)	BEST TRIP	1516 SE 1ST ST	C Beer
(E)	BLANK PARK ZOO	7401 SW 9TH STREET	C Liquor
(F)	CHEFS KITCHEN	1903 BEAVER AVE	C Liquor
(G)	DSM COMM PLAYHOUSE	831 42ND ST	C Liquor
(H)	DRUGTOWN WINE & SPIRITS	4100 UNIVERSITY	E Liquor
(I)	D'S MAIN GATE	2956 E GRAND AVE	C Liquor
(J)	H & A MINI MART	145 UNIVERSITY	C Beer
(K)	HILLTOP LOUNGE & REST	2820 HUBBELL AVE	C Liquor
(L)	HOUSE OF BRICKS	525 E GRAND AVE	C Liquor
(M)	HUGH'S JUNGLE ROOM	5715 DOUGLAS AVE	C Liquor
(N)	HY VEE FOOD STORE #4	4707 FLEUR DR	E Liquor
(O)	HY VEE FOOD STORE #5	1107 E ARMY POST	E Liquor
(P)	KELLEYS	3606 BEAVER AVE	C Liquor

(Q)	LA MIE BAKERY & REST	841 42ND ST	C Beer/Wine
(R)	ORIGINAL CONEY ISLAND	501 LOCUST ST	B Beer
(S)	PALMERS PUB	1030 E 9TH STREET	C Liquor
(T)	POLK CO CONVENTION COMP	501 GRAND AVE	C Liquor
(U)	QUIKTRIP #530	2300 E 14TH ST	C Beer
(V)	QUIKTRIP #534	2945 E UNIVERSITY	C Beer
(W)	VETERANS MEMORIAL AUD	833 5TH AVENUE	C Liquor

SPECIAL EVENTS APPLICATIONS

(X)	CONTINENTAL	428 E LOCUST ST	C Liquor
	Temporary outdoor service for East Village Bike Night on July 28, 2006. Pending approval of Building Department.		
(Y)	NICK SEXTON	3000 E GRAND AVE	C Native Wine
	Fourteen Day License in conjunction with the Iowa State Fair from August 10 thru 23, 2006.		

- [06-1173](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1174](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering Construction of the following:
- [06-1175](#) (A) [M. L. King, Jr. Park Shelter](#) – Receiving of bids, (7-11-06), and Setting date of hearing, (7-24-06). (Construction Estimate - \$350,000). ([Council Communication No. 06-368](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1176](#) (B) [2006 Bridge Repair Program – Contract 1](#) – Receiving of bids, (7-11-06), and Setting date of hearing, (7-24-06). (Construction Estimate - \$203,030). ([Council Communication No. 06-369](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1177](#) (C) [2006 Parks HMA Improvements](#) – Receiving of bids, (7-11-06), and Setting date of hearing, (7-24-06). (Construction Estimate - \$218,755). ([Council Communication No. 06-367](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1178](#) (D) [2006 Expanded Street Resurfacing Program – Contract 3](#) – Receiving of bids, (7-11-06), and Setting date of hearing, (7-24-06). (Construction Estimate - \$1,194,990). ([Council Communication No. 06-381](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1179](#) (E) [2006 Expanded Street Resurfacing Program – Contract 4](#) – Receiving of bids, (7-11-06), and Setting date of hearing, (7-24-06). (Construction Estimate - \$1,194,990). ([Council Communication No. 06-382](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

06), and Setting date of hearing, (7-24-06). (Construction Estimate - \$1,148,345). ([Council Communication No. 06-382](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

8. Approving the following Change Orders:

[06-1180](#) (A) [Change](#) Order No. 8 with Grimes Asphalt and Paving Corporation for additional work on the Combined Walnut Creek Trail Project, not to exceed \$22,983. ([Council Communication No. 06-361](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1181](#) (B) [Change](#) Order No. 13 with Larson & Larson Construction, LLC for additional work on the Western Gateway Improvements Project, not to exceed \$67,437. ([Council Communication No. 06-362](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
Nays: Kiernan.

[06-1182](#) 9. [Approving](#) Private Construction Contract between Regency Commercial Services, LLC and Chinese Cultural Center of America for building improvements in Robert D Ray Art Garden. **Moved by Vlassis to adopt. Motion Carried 7-0.**

10. Approving Private Construction Contracts for Summersfield Plat 1 for the following:

[06-1183](#) (A) [Paving](#) Improvements between Eco-Tech Construction, LLC and Hubbell Properties II, L.C. (Series H) by Hubbell Realty Company, Managing Member. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1184](#) (B) [Sanitary](#) Sewer Improvements between McAninch Corporation and Hubbell Properties II, L.C. (Series H) by Hubbell Realty Company, Managing Member. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1185](#) (C) [Storm](#) Sewer Improvements between McAninch Corporation and Hubbell Properties II, L.C. (Series H) by Hubbell Realty Company, Managing Member. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1186](#) 11. [Communications](#) from three contractors requesting permission to sublet certain items for public improvement projects. **Moved by Vlassis to adopt. Motion Carried 7-0.**

12. Accepting completed construction and approving final payment for the following:

[06-1187](#) (A) [Grimes](#) Asphalt & Paving Corporation – Great Western Trail Extension. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1188](#) (B) [Saxton](#), Inc. – Riverpoint West Detention Basin. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1189](#) (C) [Cramer](#) & Associates, Inc. – Agrimergent Technology Park Storm Sewer Outlet

Pump Station. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [06-1190](#) 13. Levying assessments for costs of Nuisance Abatement-NAC Emergency Ordinance (Community Development) Schedule No. 2006-03. **Moved by Vlassis to adopt. Motion Carried 7-0.**
14. Approving deletion of NAC-Emergency Assessments for the following:
- [06-1191](#) (A) [1110](#) 22nd Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1192](#) (B) [3122](#) 5th Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1193](#) 15. Approving delinquent sewer rental and/or Solid Waste/Stormwater Utility credits for March 2006. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1194](#) 16. Approving delinquent sewer rental and/or Solid Waste/Stormwater Utility fees for March 2006. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [06-1195](#) 17. Approving extension of closing date from June 6, 2006 to June 6, 2007 on sale and conveyance of City-owned property located between SW 1st and SW 2nd Streets between Dunham Avenue and Granger Avenue to Curly Top, LLC. ([Council Communication No. 06-366](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1196](#) 18. Accepting replacement access and storm water monitoring easement at 5415 Fleur Drive. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1197](#) 19. Accepting replacement easement for storm sewer right-of-way for property at 2849 Euclid Avenue, site of new Casey's General Store. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1198](#) 20. Approving final Plat entitled PARK AVENUE ESTATES located north of East Park Avenue in the vicinity of 1718 East Park Avenue. ([Council Communication No. 06-366](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1199](#) 21. Approving PUD Restoration Subdivision Bond IAC 62706 for Summersfield Plat 1 in the amount of \$130,486 from Hubbell Realty Company and Merchants Bonding Company.

surety for satisfactory completion of the required grading and site restoration. ([Council Communication No. 06-353](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1200](#) 22. [Approving](#) reduction of Subdivision Bond No. IAC 33894 for Meadowlands Plat 2 in the amount of \$95,292 for security for the estimated cost of required sidewalk, recreation trail and restoration improvements be reduced to \$23,823 for partial completion of the required infrastructure. ([Council Communication No. 06-354](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1201](#) 23. [Release](#) of PUD Restoration Subdivision Bond No. IAC 33297 from Merchants Bonding Company in the amount of \$6,460 as security for completion of the required restoration improvements for Hillsboro Plat 2. ([Council Communication No. 06-396](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

WITHDRAWN

[06-1202](#) 24. ~~Designating five new neighborhoods (Douglas Acres, Drake, Merle Hay, South Park and Waterbury) for inclusion in the City's Neighborhood Revitalization Program. (Council Communication No. 06-378)~~

[06-1203](#) 25. [Recommendation](#) of Council Member Bob Mahaffey to reappoint Jacquelyn Seymour to Seat 3 on the Neighborhood Revitalization Board for a three-year term commencing July 30, 2006 to expire June 30, 2009. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1204](#) 26. [Communication](#) from C. Arthur Wittmack advising of his resignation from the Urban Design Review Board effective immediately. **Moved by Vlassis to receive, file, and accept this resignation with our appreciation for Mr. Wittmack's service. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

[06-1205](#) 27. [On](#) authorization of real estate contract for property in vicinity of SW McKinley Avenue between SW 42nd Street and SW 56th Street for the Airport 13R/31L Runway Project, (10-06). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1206](#) 28. [On](#) request from Vista Real Estate and Investment Corporation, and from the Planning and Zoning Commission, to rezone all or portions of property in the vicinity of the 1101 block of NE 46th Avenue in Saylor Township, from "A-1" (Agricultural) and "M-1" (Light Industrial) to Ltd. "M-1" or "C-2" (General Retail and Highway Oriented Commercial).

(7-10-06). ([Council Communication No. 06-393](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [06-1207](#) 29. [Approving](#) payment of \$1,204.63 to Ahlers & Cooney, P.C. for services related Supplement Nos. B1 and B2 of the Master Lease Program. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1208](#) 30. [Approving](#) payment of \$1,918 to Ahlers & Cooney, P.C. for legal services regarding Nationwide Insurance development agreement. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1209](#) 31. [Approving](#) payment of \$101.96 to Hall & Associates for services regarding the combined sewer system and combined sewer overflows, NPDES permit. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1210](#) 32. [Approving](#) payment of \$3,151.12 to Myers & Jenkins Law Firm for representation in UAL Corporation, ATA Holding Corp., Delta Air Lines, Inc., et al. (Comair, Inc.) Northwest Airlines Corporation, et al. bankruptcies and payment of \$107.38 to Tishler Wald, Ltd. For representation in the UAL Corporation bankruptcy. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1211](#) 33. [Approving](#) payment of \$7,362.80 to Roger L. Fallis for a workers' compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1212](#) 34. [Approving](#) payment of \$64,258.97 to former employee John Lumley for a workers' compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1213](#) 35. [Approving](#) payment of \$15,000 to Karmel Sheree Holt and DaeVone Brown for property and bodily injuries as a result of an auto accident. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [06-1214](#) 36. [Submitting](#) out-of-state travel requests for Kenneth Brown, Mike Matthes and Ka Reindl. ([Council Communication No. 06-359](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

WITHDRAWN

[06-1215](#)

37. ~~[Sublease](#) Agreement between Des Moines Municipal Housing Agency and HOME Inc. use of a portion of property at 117 Arthur Avenue for storage of building materials (Council Communication No. 06-392)~~

WITHDRAWN

[06-1216](#)

38. ~~[Section](#) 108 Loan Guarantee Application and Amended Brownfield Economic Development Initiative (BEDI) Grant Application for redevelopment of Riverpoint West south of Martin Luther King Jr. Parkway and west of SW 9th Street. (Council Communication No. 06-398)~~

[06-1217](#)

39. [Authorizing](#) corrected payments for economic assistance for development by 2 University Avenue, LLC and University Place Rowhomes, LC. **Moved by Vlassis to adopt. Motion Carried 5-0. Council Members Hensley and Kiernan declare a conflict of interest and abstain from voting.**

[06-1218](#)

40. [Enterprise](#) Zone Benefits Application for Diverse Solutions Group, LLC for construction of eight single-family homes at 1225 and 1226 11th Street. ([Council Communication No. 352](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**

[06-1219](#)

41. [First](#) Amendment to agreement with S & G Real Estate Investments, Inc. for assignment of tax sale certificates and rehabilitation of 202 Williams. ([Council Communication No. 358](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1220](#)

42. [Annual](#) property and casualty insurance renewal for July 1, 2006 with Jester Insurance Services, Inc. ([Council Communication No. 06-376](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

Council considered Items 51 thru 56 next

[06-1221](#)

43. [Acceptance](#) of ownership of the covered trellis at the Des Moines Botanical Center. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1222](#)

44. [Communication](#) from Downtown Community Alliance requesting approval of banner design for 70 banners for the Downtown Farmers Market to be displayed in downtown along Locust Street and Grand Avenue in Western Gateway throughout the year. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**

[06-1223](#)

45. [Bid](#) from Great American Outdoor for John Deere equipment repair parts to be used by Park & Recreation Department, estimated annual cost \$40,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [06-1224](#) 46. [Civil](#) Service Entrance Lists for Neighborhood Inspections Assistant, City Architect, Assistant Planner. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [06-1225](#) 47. [Authorizing](#) Finance Director to draw checks on the registers for the weeks of June 26, and July 3, 2006 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 19 and June 26, 2006; and to draw checks for biweekly payroll due June 23 and July 7, 2006. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- [06-1226](#) 48. [Amending](#) Chapter 118 of the Municipal Code regarding regulation of Hauled Waste and Industrial and Commercial Wastewater. **Moved by Vlassis that this ordinance do not pass, #14,568. Motion Carried 7-0.**
- [06-1227](#) (A) [Amending](#) the Schedule of Administrative Penalties. ([Council Communication No. 06-373](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1228](#) 49. [On](#) rezoning of property in vicinity of 1900 SE 6th Street, owned by the South Des Moines Little League, from the “R1-60” (One-Family Low Density Residential) and the “C-1” (Neighborhood Retail Commercial) to a Limited “R-3” (Multiple Family Residential) (requires six affirmative votes). **Moved by Vlassis that this ordinance do now pass #14,569. Motion Carried 7-0.**
- [06-1229](#) 50. [On](#) vacation of a portion of Birdland Park along the Des Moines River, to the Des Moines Power Boat Club. **Moved by Vlassis that this ordinance do now pass, #14,570. Motion Carried 7-0.**

* * * * * END CONSENT AGENDA * * * * *

ORDINANCES - FIRST CONSIDERATION

- [06-1230](#) 51. [Repealing](#) sections in Chapter 22 of the Municipal Code regarding sections that are not under the International Fire Code, or adopted Airport Board Regulations. ([Council Communication No. 06-356](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [06-1231](#) 52. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 06-363](#)) **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Traffic modification for Goodrell Middle School temporary site: Walker Street between E. 14th and E. 15th.

- (B) Traffic Modifications for East High School: Directional flow on E. 13th St between Maple and Buchanan; four-way stop at E. 13th Street and Buchanan.

COMMUNICATIONS/REPORTS

- [06-1232](#) 53. [Request](#) from Samuel J. Daines, 1447 57th Place, Des Moines, to speak regarding community's collective lack of confidence and trust. **Moved by Coleman to receive and file comments. Motion Carried 6-1. Pass: Hensley.**
- [06-1233](#) 54. [From](#) Peter M. Rose, 668 48th Street, Des Moines, to speak regarding Mayor/Council appointment process to City Boards. **Moved by Vlassis to receive and file comments. Motion Carried 6-1. Pass: Hensley.**
- [06-1234](#) 55. [From](#) Des Moines Human Rights Commission forwarding names of nomination for Des Moines Human Rights Commission Executive Director. **Moved by Kiernan to receive and file. Motion Carried 7-0.**
- [06-1235](#) 56. [From](#) Historic Preservation Commission regarding nomination of Taft-West Warehouse at 216-222 Court Avenue to the National Register of Historic Places. **Moved by Kiernan to receive and file. Motion Carried 7-0.**

Council considered Items 67 thru 69 next

HEARINGS (OPEN AT 5:04 P.M.) (ITEMS 57 THRU 66)

- [06-1236](#) 57. [On](#) appeal from Joy Guzman, 455 Edgewood Lane, Pleasant Hill, regarding recommendation for denial of Limousine Driver's License. **Moved by Coleman to grant a license for a 30-day probationary period. Motion Carried 7-0.**
58. On request from OPM Partners regarding denial of the Certificate of Appropriateness for exterior alterations to a structure at 729 – 17th Street in the Sherman Hill Historic District ([Council Communication No. 06-355](#))
- [06-1237](#) (A) [Affirming](#) the decision of the Historic Preservation Commission to conditionally approve. **Moved by Hensley to adopt, and affirm the decision of the Historic Preservation Commission to conditionally approve the Certificate of Appropriateness. Motion Carried 5-2. Nays: Brooks and Coleman.**

WITHDRAWN

- [06-1238](#) (B) ~~[ALTERNATE RESOLUTION](#): Reversing the decision of the Historic Preservation Commission and granting an amended Certificate.~~

- [06-1239](#) 59. [On](#) agreement with C Corporation, (Jeff Chiodo, President) for the A.H. Blank Golf Course and Clubhouse Management from July 1, 2006 through January 15, 2019. ([Council Communication No. 06-394](#)) **Moved by Kiernan to continue to the July 10, 2019 Council meeting at 5:00 P.M. Motion Carried 4-2-1. Nays: Brooks and Coleman. Pass: Vlassis.**
- [06-1240](#) 60. [On](#) lease agreement with American Land and Redevelopment Corporation d/b/a Rome on the River for property adjacent to 1300 SE 1st Street from April 1, 2006 through March 31, 2012. ([Council Communication No. 06-379](#)) **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-1241](#) 61. [On](#) request from Principiant Hotel Company, L.C., regarding vacation of the north/south alley in the block bounded by 9th, 10th, Walnut and Mulberry Streets. **Moved by Hensley to adopt and approve the vacation, subject to final passage of the vacation ordinance. Motion Carried 5-2. Nays: Brooks and Vlassis.**
- [06-1242](#) (A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. The remaining items (61B, 61C and 61D) will be placed on a Special City Council meeting agenda for June 21, 2019 at 7:30 A.M. Motion Carried 5-2. Nays: Brooks and Vlassis.**
- WITHDRAWN
[06-1243](#) (B) ~~[Final](#) consideration of ordinance above, (waiver requested by applicant), requires 7-0 votes.~~
- WITHDRAWN
[06-1244](#) (C) ~~[Approving](#) Urban Renewal Development Agreement with LB Properties X, LLC, for the development of Davis Brown Tower. ([Council Communication No. 06-374](#))~~
- WITHDRAWN
[06-1245](#) (D) ~~[Communication](#) from the Urban Design Review Board recommending the City's approval of tax increment financing.~~
- [06-1246](#) 62. [On](#) conveyance of property north of 1712 Pennsylvania Avenue to Kira Ahart, \$3,300. ([Council Communication No. 06-365](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-1247](#) 63. [On](#) conveyance of 1610 and 1620 Francis Avenue to Maria L. Gonzalez, \$600. ([Council Communication No. 06-364](#)) **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-1248](#) 64. [On](#) Crivaro Park Redevelopment – Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder.

as Rocky Hurst Construction, (Rocky Hurst, Owner), \$89,291. ([Council Communication No. 06-370](#)) **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-1249](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-1250](#) 65. [On](#) Warren County Roadway Improvements – Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Grimes Asphalt & Paving Corporation, (J.M. Yonker, President), \$92,299.80. ([Council Communication No. 06-371](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1251](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1252](#) 66. [On](#) 2006 Sidewalk Replacement Program – Designated Neighborhoods: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as T K Concrete Inc., (Tony J. Vermeer, President), \$162,937.50. ([Council Communication No. 06-372](#)) **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-1253](#) (A) [Approving](#) contract and bond. **Moved by Brooks to adopt. Motion Carried 7-0.**

****END HEARINGS AT 5:43 P.M.****

****Council considered Items 70 thru balance of agenda next****

APPROVING

[06-1254](#) 67. [Intergovernmental](#) 28E Shared Use Agreement for shared use of Park and Recreation Facilities and Des Moines Independent Community School District Facilities for recreation and leisure activities. ([Council Communication No. 06-380](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[06-1255](#) 68. [City](#) of Des Moines Sidewalk Café Program, to expedite approval of sidewalk cafés on public sidewalks and other City-owned property, and referring Design Standards for Sidewalk cafés to the Plan and Zoning Commission for report and recommendation. ([Council Communication No. 06-377](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-1256](#) (A) [First](#) consideration of an ordinance amending Chapter 10 of the Municipal Code regarding issuance of liquor licenses for outdoor areas, and amending Chapter 10 regarding process for vacation and conveyance of public streets and alleys, and issuance of licenses for sidewalk cafés, all to expedite process for review.

approval. **Moved by Vlassis that this ordinance be considered and given first reading for passage. Motion Carried 7-0.**

- [06-1257](#) (B) Amending the Schedule of Fees, subject to final passage of the ordinance. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1258](#) 69. Authorizing execution of Federal Aviation Administration AIP Grant Agreement, Airport Runway 13R-31L Land Acquisition, Phase 3, for acquisition of approximately 283 acres of property. (Council Communication No. 06-357) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1259](#) 70. Urban Renewal Development Agreement with Village Place, L.L.C. for development of Village Place, 517 E. Locust Street and authorizing submission of Enterprise Zoning Application to State of Iowa. (Council Communication No. 06-375) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-1260](#) (A) Recommendation from Urban Design Review Board regarding tax increment financing and Conceptual Development Plan. **Moved by Kiernan to receive a report and file. Motion Carried 7-0.**
- [06-1261](#) (B) Setting Date of Hearing on vacation and conveyance of the East/West alley, and vacation and conveyance of air rights adjoining 521 East Locust Street, (7-10-06). **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-1262](#) 71. Contract for the Youth Advisory Board fundraising booth at Valley Junction Farm Market on August 24, and 31, 2006. (Council Communication No. 06-360) **Moved by Vlassis to approve. Motion Carried 7-0.**

EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

- [06-1263](#) 1. Appointment of Merrill Stanley, Deputy City Manager, to replace Allen McKinley, Acting Finance Director, as an alternate on the Wastewater Reclamation Authority Management Agency. SPONSOR: Mayor Cownie. **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [06-1264](#) 2. [Recommendation](#) of Council Member Chris Coleman to reappointment Mary McGee to Seat 3 on the Access Advisory Board for a four-year term commencing June 15, 2008 and expire June 15, 2010. SPONSOR: Council Member Coleman. **Moved by Coleman to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

- [06-1265](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene a meeting of the Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations: [MEMORANDUM](#)
- [06-1266](#) (A) [3200](#) Bowdoin Street, Titleholders: Patricia A. Urias-Stahl and Don Stahl. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [06-1267](#) (B) [1904](#) Capitol Avenue, Titleholders: Jeffrey R. Skalicky and Linda Sanders; Mortgage Holder: ABN Amro Mortgage Group, Inc. **Moved by Coleman to adopt. Motion Carried 7-0.**

WITHDRAWN

- [06-1268](#) (C) ~~[1301](#) 21st Street, Titleholder: FDIC for United Federal Savings and Loan Association of Des Moines; Contract Buyers: Fredrick L. Nichols and Mary Lou Nichols and Mary L. Nichols.~~

- [06-1269](#) MOTION TO ADJOURN. **Moved by Kiernan to adjourn at 5:51 P.M. Motion Carried 7-0.**

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